

United States District Court

DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL

SUMMONS IN A CIVIL ACTION

Plaintiff,

v.

ANDRX PHARMACEUTICALS, LLC. and
ANDRX CORPORATION,

CASE NUMBER:

Defendants.

TO: Andrx Corporation
c/o Steven A. Maddox
Foley & Lardner, LLP
3000 K Street, NW
Washington, DC 20007

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY:

Jack B. Blumenfeld, Esquire
Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street, P.O. Box 1347
Wilmington, DE 19899-1347

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

OCT 04 2006

CLERK

DATE

Evelle Water
BY DEPUTY CLERK

AO 440 (REV. 10/93) Summons In a Civil Action

RETURN OF SERVICEService of the Summons and amended complaint was made by me¹

DATE

October 4, 2006

NAME OF SERVER (PRINT)

Beverly Seitz

TITLE

Administrative Assistant

Check one box below to indicate appropriate method of service☐ Served personally upon the defendant. Place where served: _____☐ Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☒ Other (specify): Copies of the Summons and Complaint were served upon defendant Andrx Corporation by delivering copies thereof by email and Federal Express to defendant's attorney, Steven A. Maddox, Foley & Lardner LLP, 3000 K Street, NW, Washington, DC 20007

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

10/5/06
DateBeverly Seitz
Signature of Server

Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street, Wilmington, DE 19801

Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure